



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Resolution Certifying the Election Results of the November 5, 1996 General Municipal Election


MEETING DATE: December 4, 1996

PREPARED BY: City Clerk

RECOMMENDED ACTION: That the City Council adopt Resolution No. 96-182 certifying the election results of the November 5, 1996 General Municipal Election.

BACKGROUND INFORMATION: The San Joaquin County Registrar of Voters Office has advised us that they plan to take the full 28 days as provided by law to complete the canvass of election. Therefore, we will not be able to provide you with a copy of Exhibit A of Resolution No. 96-182 certifying the election results until after November 27, 1996.

FUNDING: None required.


Jennifer M. Perrin
City Clerk


JMP

APPROVED: _____
H. Dixon Flynn -- City Manager



MEMORANDUM

TO: Honorable Mayor and
Members of the Lodi City Council
City Council Members Elect
City Manager
City Attorney

FROM: Jennifer M. Perrin 
City Clerk

DATE: November 25, 1996

SUBJECT: December 4, 1996 City Council Meeting Agenda and Procedure

This memorandum is being sent to you to outline the agenda and the procedure that will be followed at the December 4, 1996 City Council meeting.

As the meeting opens, the present City Council Members will be seated at their usual places at the Council table.

Council Member Elect Land and his family and the family of Council Member Elect Mann will be seated in the first few rows of seats in the Council Chambers which will be reserved.

The certification of the election and reorganization of the City Council will take place as follows:

- *Agenda item #L-1 entitled, "Resolution certifying the election results of the November 5, 1996 General Municipal Election"*

City Clerk Perrin will present the official canvass of the November 5, 1996 General Municipal Election and ask the present City Council to adopt Resolution No. 96-182 certifying the results of the election.

Following this action City Manager Flynn and City Attorney Hays will leave their seats at the Council table and be seated at the staff table.

- *Agenda item #L-2 entitled, "Presentation to outgoing member of the Lodi City Council"*

At this point on the agenda, the City Clerk will ask Council Member Davenport to join her at the podium at which time she will make a presentation on behalf of the City. Next, City Manager Flynn will make a presentation to Council Member Davenport. Following the presentations, parting remarks may be made by Mr. Davenport and then he will take a seat in the audience.

- *Agenda item #L-3 entitled, "Presentation to outgoing Mayor"*

The City Clerk will ask outgoing Mayor Warner to join her at the podium and make a presentation to him on behalf of the City of Lodi. Mayor Warner will then have an opportunity to make comments.

- *Agenda item #L-4 entitled, "City Clerk to administer the oath of office to Lodi City Council Members Elect Land and Mann"*

City Clerk Perrin will ask Council Members Elect Land and Mann to join her at the podium. They will be asked to raise their right hand and at that time she will administer the oath of office. Each will then be asked to sign their individual oath of office forms.

- *Agenda item #L-5 entitled, "Presentations to incoming members of the Lodi City Council"*

City Clerk Perrin will then make presentations on behalf of the City of Lodi to incoming members of the City Council.

The newly installed Council Members will then be seated at the Council table; however, the seat at the Mayor's position should be left vacant.

It would be appropriate at this time for the newly seated Council Members to give brief remarks if they wish to do so.

- *Agenda item #L-6 entitled, "Reorganization of the Lodi City Council"*

The City Clerk will take the Mayor's seat for the purpose of conducting the election of the new Mayor. The following procedure will be followed. The City Clerk will declare that nominations are open for the office of Mayor. Following receipt of nomination(s), the City Clerk will state, "Are there any further nominations?". Hearing none, she will declare that nominations are closed.

The City Clerk will then ask for the vote in the following manner:

"As many as are in favor of _____ to serve as Mayor of the City of Lodi, say 'Aye' _____, opposed 'No' _____."

Following the vote, the City Clerk will declare the name of the newly elected Mayor and pass the gavel to that person. The Mayor, who will conduct the election of the Mayor Pro Tempore following the same procedure, will be seated in the Mayor's seat and the City Clerk will return to her usual seat.

Following the election, it would be an appropriate time for the newly-elected Mayor to make brief comments, if so desired.

- *Agenda item #M entitled, "Adjournment"*

The newly-elected Mayor will adjourn the meeting.

A reception will be held in the foyer of the Carnegie Forum, 305 West Pine Street, immediately following the meeting in honor of the incoming and outgoing City Council Members.

Please feel free to have family members take pictures during the ceremony.

Should you have any questions, please do not hesitate to call.

JMP

RESOLUTION NO. 96-182

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**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI
RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION
HELD ON NOVEMBER 5, 1996, DECLARING THE RESULT AND SUCH
OTHER MATTERS AS PROVIDED BY LAW**

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WHEREAS, a General Municipal Election was held and conducted in the City of Lodi, California, on Tuesday, November 5, 1996, as required by law; and

WHEREAS, notice of the election was given in time, form and manner as provided by law; that voting precincts were properly established; that election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and

WHEREAS, pursuant to State Statute, the County Election Department canvassed the returns of the election and has certified the results to this City Council, the results are received, attached and made a part hereof as "Exhibit A".

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS SHOWN ON EXHIBIT A:

SECTION 1. That the names of persons voted for at the election for Member, City Council are as follows:

Susan Hitchcock
Maggie Talbot
Keith Land
Ray G. Davenport
Colleen Dixon
Stephen J. Mann

SECTION 2. That the number of votes given at each precinct and the number of votes given in the City to each of the persons above named for the respective offices for which the persons were candidates was as listed in Exhibit A attached.

SECTION 3. The City Council does declare and determine that: Keith Land was elected as Council Member for the full term of four years; and Stephen J. Mann was elected as Council Member for the full term of four years.

SECTION 4. The City Clerk shall enter on the records of the City Council of the City, a statement of the result of the election, showing: (1) The whole number of votes (ballots) cast in the City; (2) The names of the persons voted for; (3) For what office each person was voted for; (4) The number of votes given at each precinct to each person; and (5) The total number of votes given to each person.

SECTION 5. That the City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the City Clerk and authenticated; that the City Clerk shall also administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and shall have them subscribe to it and file it in the office of the City Clerk. Each and all of the persons so elected shall then be inducted into the respective office to which they have been elected.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Dated: December 4, 1996

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I hereby certify that Resolution No. 96-182 was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 4, 1996 by the following vote:

Ayes: Council Members - Davenport, Mann, Pennino, Sieglock
and Warner (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - None



Jennifer M. Perrin
City Clerk

REGISTRAR OF VOTER'S
CERTIFICATE OF RESULTS
OF THE
CITY OF LODI GENERAL MUNICIPAL ELECTION
HELD ON
NOVEMBER 5, 1996

I, HEREBY CERTIFY that the Office of the Registrar of Voters has completed the canvass of the City of Lodi General Municipal Election held on Tuesday, November 5, 1996, and that the following are the results of said election:

<u>COUNCIL MEMBER:</u>	Vote for two
KEITH LAND	7,792
STEPHEN J. MANN	7,723
SUSAN HITCHCOCK	5,666
COLLEEN DIXON	3,971
RAY G. DAVENPORT	2,828
MAGGIE TALBOT	1,487

December 2, 1996


LARRY O. TUNISON
Registrar of Voters

CITY OFFICES, LODI AND TRACY

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			REGISTRATION	BALLOTS CAST	TURNOUT	SUSAN COINTELLA	MAGGIE TALBOT	KEITH LAND	RAY GAVENPORT	COLLEEN DIXON	STEPHEN J. MANN	CHARLENE KAY	SHARON L. SMITH	CITY OF TREASURER	RAY M. CARR
33501-PCT	0033501	682	286	41.9								91	150	232	
33502-PCT	0033502	650	352	54.2								103	187	285	
33503-PCT	0033503	461	237	51.4								59	140	202	
33504-PCT	0033504	708	384	54.2								117	203	315	
33505-PCT	0033505	938	395	42.5								99	233	330	
33506-PCT	0033506	438	223	50.9								65	118	184	
33507-PCT	0033507	772	383	49.6								123	197	299	
33508-PCT	0033508	781	400	51.2								104	248	353	
33509-PCT	0033509	832	414	49.8								100	246	347	
33510-PCT	0033510	646	314	48.6								104	149	254	
33511-PCT	0033511	797	376	47.2								125	193	294	
33512-PCT	0033512	487	230	47.2								80	113	201	
33513-PCT	0033513	585	219	37.4								79	107	182	
33514-PCT	0033514	677	408	60.3								100	198	295	
33515-PCT	0033515	626	346	55.3								110	176	281	
33516-PCT	0033516	559	360	64.3								72	139	210	
33517-PCT	0033517	793	379	47.8								131	185	305	
33518-PCT	0033518	770	425	55.2								124	236	353	
33519-PCT	0033519	616	229	37.2								76	119	188	
33520-PCT	0033520	976	594	60.9								163	300	458	
33521-PCT	0033521	844	445	52.7								127	240	360	
33522-PCT	0033522	559	256	45.8								71	133	204	
33523-PCT	0033523	663	371	56.0								141	154	296	
33524-PCT	0033524	624	322	51.6								85	182	263	
33525-PCT	0033525	537	240	44.7								74	129	184	
33526-PCT	0033526	472	237	50.4								84	133	212	
33527-PCT	0033527	1023	498	48.7								148	246	403	
33528-PCT	0033528	456	230	50.4								69	126	186	
33529-PCT	0033529	701	427	60.9								131	215	340	
33530-PCT	0033530	407	173	42.5								60	83	140	
33531-PCT	0033531	794	340	42.8								105	173	269	
33532-PCT	0033532	427	271	63.5								72	137	196	
33533-PCT	0033533	570	232	40.7								72	107	173	
42401-PCT	0042401	915	464	50.7	135	32	203	100	35	181					
42402-PCT	0042402	610	212	34.8	60	21	43	56	85	59					
42403-PCT	0042403	571	217	38.0	57	26	55	62	77	42					
42404-PCT	0042404	467	210	45.0	77	17	58	49	69	57					
42405-PCT	0042405	926	353	38.1	121	37	97	81	99	111					
42406-PCT	0042406	267	161	60.3	62	16	66	9	34	92					
42407-PCT	0042407	607	310	51.2	114	18	156	63	51	132					
42408-PCT	0042408	606	310	51.2	107	41	146	60	85	109					
42409-PCT	0042409	559	313	56.0	93	26	141	72	50	164					
42410-PCT	0042410	733	414	56.1	105	42	178	78	83	196					
42411-PCT	0042411	725	468	64.6	136	33	227	61	118	257					
42412-PCT	0042412	716	309	43.2	32	36	125	60	71	122					
42413-PCT	0042413	697	336	55.4	122	24	183	60	90	196					
42414-PCT	0042414	564	223	39.5	68	18	75	39	47	90					
42415-PCT	0042415	738	440	59.6	127	32	203	76	102	185					
42416-PCT	0042416	669	396	59.2	139	35	207	49	123	174					
42417-PCT	0042417	612	368	60.1	136	19	173	41	92	195					

CITY OFFICES, LODI AND TRACY

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STATE OF CALIFORNIA
County of San Joaquin

City of Lodi

Oath Or Affirmation Of Allegiance For Public Officers And Employees

The execution of this Oath is required by Article XX, Section 3, of the Constitution of the State of California.

I, Keith Land do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

SUBSCRIBED AND SWORN TO BEFORE ME December 4, 1996

Jennifer M. Perrin
JENNIFER M. PERRIN
City Clerk

(Seal)

Keith Land
Keith Land, Lodi City Council Member



STATE OF CALIFORNIA
County of San Joaquin

City of Lodi

Oath Or Affirmation Of Allegiance For Public Officers And Employees

The execution of this Oath is required by Article XX, Section 3, of the Constitution of the State of California.

I, Stephen J. Mann do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

SUBSCRIBED AND SWORN TO BEFORE ME December 4, 1996

Jennifer M. Perrin
JENNIFER M. PERRIN
City Clerk

Stephen J. Mann
Stephen J. Mann, Lodi City Council Member

(Seal)

CITY COUNCIL

STEPHEN J. MANN, Mayor
DAVID P. WARNER
Mayor Pro Tempore
RAY G. DAVENPORT
PHILLIP A. PENNINO
JACK A. SIEGLOCK

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6702
FAX (209) 333-6807

H. DIXON FLYNN
City Manager
JENNIFER M. PERRIN
City Clerk
RANDALL A. HAYS
City Attorney

December 4, 1996

Secretary of State
State of California
1230 J Street, Executive Office
Sacramento, CA 95814

In accordance with the provisions of the Uniform Facsimile Signatures of Public Officials Act (Government Code 5500 et seq.), I hereby file with you my manual signature, certified to me under oath.

For my files, please acknowledge receipt of this request.

Sincerely,



Phillip A. Pennino
Mayor, City of Lodi

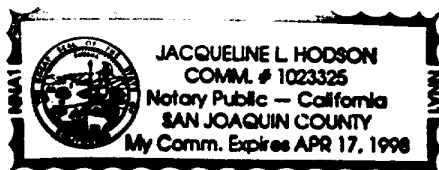


All signatures for the City of Lodi will be Phillip A. Pennino's facsimile stamp signature and City Clerk Jennifer M. Perrin's manual signature.

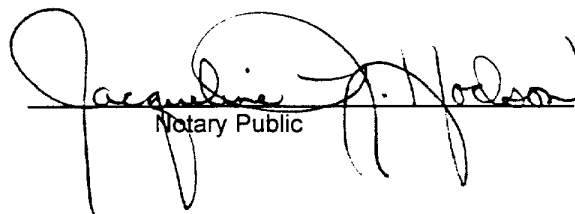
State of California)
County of San Joaquin)

On December 4, 1996 (date), before me, Jacqueline L. Hodson, Notary Public, personally appeared Phillip A. Pennino, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal



JMP/jlt


Notary Public